

Exhibit E



Paris, le 22 JUIN 2016

Early Warning Services LLC
16552 N 90th Street, Suite 100
Scottsdale, Arizona
AZ 85260
United States of America

OFFICIAL

REGISTERED LETTER + REGULAR LETTER

N/o ref : AP/CJ/LR/HFP 16/77 (*à rappeler SVP / please always quote*)
V/y ref : -

Objet/re : Hachette Filipacchi Presse ./ Yourselfes.

Dear Sirs,

We act for the French company Hachette Filipacchi Presse, a company affiliated to the group LAGARDERE ACTIVE, owner worldwide of the well-known trademark **ELLE**.

ELLE is a powerful and famous brand all around the world in relation to magazines and editing online or off line services in relation to lifestyle and themes concerning women in particular.

The magazine **ELLE** existing since 1945 and developed all over the world through 46 editions, is available worldwide inclusively in European Union and/or in the United States of America at the very least over the last 30 years.

These 46 local editions totalize 6.5 million copies sold by month, and 21 million readers

In this respect, the impact of the mark with the European public and the American public is considerable, the magazine in existence since 1945 being regularly exported throughout the European Union and United States through its international editions that circulate worldwide at the very least over the last 30 years, notwithstanding wholly dedicated US, British, German, Spanish, Italian, Belgium, Bulgarian, Croatian, Greek, Hungarian, Dutch, Polish, Portuguese, Czech, Romanian, Slovenian editions of the magazine, together with multiple derived titles such as **ELLE DECORATION**, **ELLE DÉCOR**, **ELLE BISTRO**, **ELLE PLUS**, **ELLE A TABLE**, **ELLE MEN**...

ELLE enjoys tremendous media coverage, not only through the press but also through the web, with a similarly strong Internet presence through multiple websites including web sites relaying the 46 editions, with millions of visitors per month.

The **ELLE** magazine has also a strong presence in social networks with Facebook [**>@1 129 641 likes**]; Twitter [**> @ 1 820 588 tweets**], Pinterest [**> @ 181 117 subscribers**], Instagram [**> @ 200 124 subscribers**], Youtube [**> @ 21 905 subscribers**] Google + [**>@ 2 216 361**] in September 2013 for the US edition for example.

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société d'exercice libéral d'avocats barreau de paris selàrl au capital de 697.000 euros paris D 509636429



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Hachette Filipacchi Presse has an intense policy of diversification the trademark ELLE being used for a wide range of products and services including financial sponsorship, coupons, fundraising events and actions.

Hachette Filipacchi Presse is also the owner of a family of trademark registrations **ELLE**, in a very large number of countries, including the European Union for a wide range of products and services, including advertising, advisory services, financial services etc .

Therefore as a result of the tremendous investments made in relation to the mark, over the years, the mark has gained a strong reputation, being well known by a large fraction of the public worldwide.

In this respect, we draw your attention to the fact that the trademark ELLE has been recognized as a famous trademark in many countries, and particularly the Trademark Trial Appeal Board (decision of 5 September 2008 CHEZ ELLE LINGERIE) but also by United States District Court Southern District of Florida (decision of April 24, 2014 RICARDO ORDUZ – ella hairstraightener) in USA, but also in numerous courts in the European Union i.e France, Spain, Italy, Greece, Benelux, Hungary, Netherlands, Poland, Czech Republic, Romania, Sweden.

For the OHIM Registry, we can direct you to the decisions of 10 November 2010 : ELLE /ELLE SUPERSLIMS.

Our client has therefore developed a very strong reputation in ELLE which is a valuable asset that is vigorously defended.

In this context, it has come to our client's attention the EU trademark applications **ZELLE** n° 015321292, **zelle** n°015321318 and **ZELLEPAY** n° 015321301, dated of April 11, 2016, for services related to the class 36 of the international classification, under priority of the US trademark applications **ZELLE** n° 86934671, **zelle** n°86964390 and **ZELLEPAY** n° 86934678 dated March 9, 2016 and April 5, 2016.

Such registrations will mislead the consumer into conceiving an association or link between you and our client, and may take unfair advantage and/or cause detriment to the reputation of our client's earlier mark **ELLE**, and/or may dilute the value of our client's famous trademark.

Indeed, your company's adoption of **ZELLE** / **zelle** is phonetically and visually similar to our client's trademark and may be perceived as a derivation from or an affiliation to our client's trademarks, in view of the use and reputation of **ELLE** and its family of trademarks.

Moreover, the consumer could be misled into believing that you are an authorized user and/or a licensee and/or an affiliated company or that there is some sort of arrangement with you.

Consequently, the present letter serves to notify you that the application and the use of trademark **ZELLE** / **zelle** is considered by our client as damaging its exclusivity to **ELLE**.

The same also applies for **ZELLEPAY**, taking into account that the part **PAY** is descriptive in relation to the financial services of the class 36.

Of course, our client reserves any other legal qualification of facts that further information may reveal.

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However, assuming that you are interested in amicable settlement, our client is willing to accept the registration of the use of the trademark **ZELLEPAY**, provided that you :

- **immediately after the receipt of the present letter**, undertake formally and in writing to withdraw the EU trademark applications **ZELLE** n° 015321292 and **zelle** n°015321318 and the US trademark applications **ZELLE** n° 86934671 and **zelle** n°86964390 with the relevant evidence of this,
- **immediately after the receipt of the present letter**, undertake, formally and in writing, to cease all use and to never use in the future **ZELLE** and/or **zelle** and/or any other sign confusingly similar to the trademark **ELLE**, whether as a trademark and/or a trade name and/or a shop sign, and/or a domain name, with your acknowledgment of our client's prior rights,
- **immediately after the receipt of the present letter**, undertake to always use the trademark **ZELLEPAY** as a whole i.e in one word without any space and/or other insertion, in the same typeface without emphasizing the word **ELLE** in any way (typeface, size or color of letters...), with your formal and written undertaking to never use a logo identical or similar to our clients' **ELLE** logo,

Your response is awaited at the latest **within 20 days of the receipt of the present letter**.

Please note that if no response is forthcoming within the above stipulated deadline, our client will then have to consider what measures it deems appropriate to address the issues.

In accordance with our Bar rules, you may wish to instruct Counsel to represent you for the present matter.

This letter is being sent without prejudice to any claims, courses of action, damages and equitable relief, attorney's fees and/or defenses, all of which are hereby reserved.

Yours sincerely,

casey joly
joly@ipso.pro

